



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Paper No.

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

COPY MAILED

SEP 02 2009

OFFICE OF PETITIONS

In re Application of	:	
Junya Hirano	:	
Application No. 10/629,684	:	DECISION ON PETITION
Filed: July 30, 2003	:	PURSUANT TO
Attorney Docket No. 0234-0467P	:	37 C.F.R. § 1.181(A)
Title: METHOD FOR CONNECTING	:	
ELECTRONIC PARTS	:	

This is a decision on the petition pursuant to 37 C.F.R. § 1.181(a) to withdraw the holding of abandonment, filed on July 27, 2009.

BACKGROUND

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed September 12, 2005, which set a shortened statutory period for reply of three months. No response was received, and no extensions of time under the provisions of 37 C.F.R. § 1.136(a) were requested. Accordingly, the above-identified application became abandoned on December 13, 2005. A notice of abandonment was mailed on March 24, 2006.

ANALYSIS

With this petition, Petitioner has alleged that a response to the non-final Office action was filed on March 13, 2006, concurrently with a request for a three-month extension of time. Petitioner has further included a copy of both the response and the request for a three-month extension of time, and it is noted that each contains a date-in stamp from the Office of Initial Patent Examination dated March 13, 2006.

Decision on Petition pursuant to 37 C.F.R. § 1.181(a)

The electronic file has been reviewed, and a copy of each of these submissions has been located in the same. It is clear that each of these submissions was received on March 13, 2006.

Moreover, Office records reflect the receipt of the fee that is associated with the filing of a request for a three-month extension of time on March 13, 2006.

Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that Petitioner has met his burden of establishing that a response was timely submitted.

Accordingly, the petition pursuant to 37 C.F.R. § 1.181(a) is GRANTED. The holding of abandonment is **WITHDRAWN**.

CONCLUSION

Petitioner may find it beneficial to view Private PAIR within a fortnight of the present decision to ensure that the withdrawal of the holding of abandonment has been acknowledged by the Technology Center in response to this decision. It is noted that all inquiries with regard to any failure of that change in status should be directed to the Technology Center where that change of status must be effected - **the Office of Petitions cannot effectuate a change of status.**

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the response to the non-final Office action of September 12, 2005, received on March 13, 2006, can be processed in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225.¹ All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
Senior Attorney
Office of Petitions

¹ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).